

Caption in Compliance with D.N.J. LBR 9004-2(c)



Order Filed on April 2, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:
John Margotti and Marcie Margotti

Case No.: 14-28372
Adv. No.:
Hearing Date: 3/20/2018
Judge: Michael B. Kaplan

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following page is hereby **ORDERED**.

DATED: April 2, 2018


Honorable Michael B. Kaplan
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
RAS Citron, LLC Authorized Agent for Secured Creditor 130 Clinton Road, Lobby B, Suite 202 Fairfield, NJ 07004 Telephone: 973-575-0707 Facsimile: 973-404-8886 Laura M. Eggerman, Esquire (LE-8250)	Case No.: 14-28372-MBK Chapter: 13 Hearing Date: February 6, 2018 Judge: Michael B. Kaplan
In Re: JOHN MARGOTTI, Debtor, MARCIE MARGOTTI, Joint Debtor.	

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through four (4), is hereby
ORDERED.

Page 2

Secured Creditor: NATIONSTAR MORTGAGE LLC

Secured Creditor's Counsel: RAS Citron, LLC

Debtor's Counsel: James J. Cerbone

Property Involved ("Collateral"): 6 Country Rd, Jackson, NJ 08527

Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay
against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for 3 months, from 12/01/2017 to 02/01/2018, at \$2,374.50 per month.
- ☐ The Debtor is overdue for payments, from to , at \$ per month.
- ☐ The Debtor is overdue for payments, from to , at \$ per month.
- ☐ The Debtor is assessed for late charges at \$ per month.

Funds Held In Suspense \$2,042.38.

Total Arrearages Due \$5,081.12.

2. Debtor must cure all post-petition arrearages, as follows:

- ☒ Immediate payment shall be made in the amount of \$. Payment shall be made no later than .
- ☒ Beginning on 03/01/2018, regular monthly mortgage payments shall continue to be made in the amount of \$2,374.50.
- ☒ Beginning on 03/15/2018, additional monthly cure payments shall be made in the amount of \$1,693.71 for 3 months.

☐ The amount of \$_____ shall be capitalized in the debtor's Chapter 13 plan. Debtor must file an Amended Plan, and Schedules I and J within twenty-one (21) days of the entry of this Order. The debtor's monthly payment to the Chapter 13 Trustee will be modified to an amount necessary to appropriately fund the plan in accordance with this order.

3. Payments to the Secured Creditor shall be made to the following address(es):

☐ Immediate payment: _____

☒ Regular monthly payment: Nationstar Mortgage

P.O. Box 619094

Dallas, TX 75261-9741

Note: 0609582291

☒ Monthly cure payment:

Nationstar Mortgage

P.O. Box 619094

Dallas, TX 75261-9741

Note: 0609582291

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney fees of \$350.00, and costs of \$181.00.

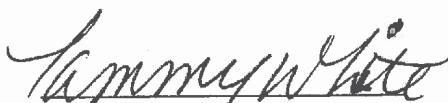
The fees and costs are payable:

☒ Through the Chapter 13 plan.

☐ To the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.

The undersigned hereby consent to the form and entry of the foregoing order.



Tammy White, Esq.
Attorney for Debtor(s)

Date:



Laura M. Egernan, Esq.
Attorney for Secured Creditor

Date: 03.20.2018

Certificate of Notice Page 6 of 6
United States Bankruptcy Court
District of New Jersey

In re:
John Margotti
Marcie Margotti
Debtors

Case No. 14-28372-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Apr 03, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 05, 2018.

db/jdb +John Margotti, Marcie Margotti, 6 Country Road, Jackson, NJ 08527-3300

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 05, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 3, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com
Brian C. Nicholas on behalf of Creditor Nationstar Mortgage LLC bnicholas@kmlawgroup.com,
bkgroup@kmlawgroup.com
Charles G. Wohlrab on behalf of Creditor Nationstar Mortgage LLC cwohrlab@logs.com,
njbankruptcynotifications@logs.com
Charles G. Wohlrab on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper
cwohrlab@logs.com, njbankruptcynotifications@logs.com
James J. Cerbone on behalf of Debtor John Margotti cerbonelawfirm@aol.com
James J. Cerbone on behalf of Joint Debtor Marcie Margotti cerbonelawfirm@aol.com
Laura M. Egerman on behalf of Creditor Nationstar Mortgage LLC bkyecf@rasflaw.com,
bkyecf@rasflaw.com;legerman@rasnj.com
R. A. Lebron on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
bankruptcy@feinsuch.com

TOTAL: 10